

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

ASHLEY MARIE COWAN, ET AL.,

Plaintiffs,

v.

MICHAEL SHAWN PETERS,

Defendant.

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**Civil Action No. 2:14-cv-40
Judge Jones**

AFFIDAVIT OF JAMES N. L. HUMPHREYS

James N. L. Humphreys, being duly sworn, says the following:

1. After Ashley Cowan spoke with Aaron Grenier on the telephone following the hearing on March 6, 2015, I spoke with Aaron on several occasions. Attached are Exhibits No. 1 and No. 2, which is the record of all my telephone calls to and from Aaron.

2. In the telephone calls I had with Aaron, he confirmed for me his address was as follows:

906 McGovny Street
Ironton, OH 45638

3. I sent three letters to Aaron:

- a. On March 9, 2015, I sent to Aaron a letter with the Notice (Doc. No. 36) and the Petition for Approval of Infant Settlement (Doc. No. 27). The post office returned this letter to me on March 23, 2015.
- b. On March 10, 2015, I sent Aaron the Prudential Structured Settlement Annuity Proposal, the Settlement Agreement and Release, and a stamped envelope with my address on it.
- c. On March 18, 2015, I sent Aaron an Answer to the Petition for him to sign, the Settlement Agreement and Release, another copy of the petition (Doc. No. 27), and another stamped envelope with my address on it.

In the March 10th and March 18th letters, I asked Aaron to sign the documents I sent him and return them to me in the provided envelopes.

4. I had four or five substantive telephone conversations with Aaron in which he told me he had received my letters, had signed the documents I sent him, and had mailed them back to me.

5. I did not receive any documents signed by Aaron a week or so after he told me he had mailed the documents back to me. On March 23, 2015, the first letter I sent to Aaron dated March 9th came back in the mail saying the letter was undeliverable. I immediately had a follow up telephone conversation with Aaron to confirm his address. Aaron again confirmed his address was:

906 McGovny Street
Ironton, OH 45638

I told Aaron I had received the March 9th letter I sent to him back as undeliverable and was concerned the address I had was an incorrect address. Aaron told me the address was correct and he had signed the other documents, which he had already mailed to me.

6. When I called Aaron previously, he would call me back shortly thereafter if he did not answer. After the March 23rd telephone call, Aaron has not returned my calls.


7. When no signed documents arrived by March 27, 2015 from Aaron, I concluded it was advisable to have Aaron served with the petition (Doc. No. 27) and the notice of the April 21, 2015 hearing (Doc. No. 36). I did so by sending copies to the Sheriff in Lawrence County, Ohio, the county in which Ironton, Ohio is located. I have filed the Proof of Service from the Sheriff of Lawrence County, Ohio saying Aaron has not been at the address he had given me since October of 2014. The return also says the landlord is unfamiliar with Aaron.

8. Based upon my attempts to provide settlement papers to Aaron Grenier—both formally and informally—Aaron Grenier's current location is unknown. I have attempted to give Aaron notice of the settlement terms. Aaron is aware of my attempts based upon our telephone calls.


James N. L. Humphreys

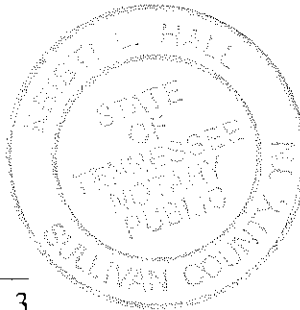
STATE OF TENNESSEE
COUNTY OF SULLIVAN

SUBSCRIBED AND SWORN to before me, this 8th day of April, 2015.


Notary Public

My commission expires:

4/25/18



CERTIFICATE OF SERVICE

On April 8th, 2015, I hereby certify I electronically filed the **Affidavit of James N. L. Humphreys** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Henry S. Keuling-Stout
KEULING-STOUT, P.C.
P. O. Box 400
Big Stone Ga, VA 24219
(Counsel for Defendant)

Gregory D. Edwards (By U. S. Mail)
Attorney at Law
P. O. Box 285
Jonesville, VA 24263
(Guardian ad Litem for SKG)

s/ James N. L. Humphreys

Humphreys/Cowan v. Peters

James N. L. Humphreys

From: Melissa S. Sizemore
Sent: Tuesday, April 07, 2015 11:19 AM
To: James N. L. Humphreys; James N. L. Humphreys
Subject: Jim.....here is what is pending for next bill. I will send March bill by seperate email

Wireless Current Usage

Details for: 423-677-3592 ▼

The following reflects current usage since your last statement ⓘ

[Download](#)

Minutes Messages Data

Cycle ends 04/13/2015

Anytime Minutes Used : 1435 minutes

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Date	Time	Number	Minutes	Desc
03/18/2015	12:39 PM	7173947156	1	LANCASTER
03/18/2015	12:32 PM	7173947156	7	LANCASTER
03/26/2015	06:39 PM	7404790453	1	IRONTON
03/26/2015	06:21 PM	7404790453	1	IRONTON
03/23/2015	05:16 PM	7404790453	2	IRONTON
03/23/2015	04:15 PM	7404790453	1	IRONTON
03/23/2015	04:03 PM	7404790453	1	IRONTON
03/23/2015	03:43 PM	7404790453	2	IRONTON
03/18/2015	03:54 PM	7404790453	2	IRONTON
03/18/2015	03:49 PM	7404790453	1	IRONTON
03/18/2015	03:47 PM	7404790453	1	IRONTON
03/17/2015	05:19 PM	7404790453	1	IRONTON
03/17/2015	05:12 PM	7404790453	1	IRONTON
03/17/2015	05:10 PM	7404790453	1	IRONTON
03/17/2015	05:10 PM	7404790453	1	IRONTON
03/16/2015	11:15 AM	7404790453	2	INCOMING
03/16/2015	11:10 AM	7404790453	1	IRONTON
03/31/2015	03:05 PM	8002246602	79	TOLL-FREE
03/30/2015	09:01 AM	8002246602	13	TOLL-FREE
03/27/2015	10:22 PM	8002246602	1	TOLL-FREE

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EXHIBIT

tabbies

Detail for Jim Humphreys: 423-677-3592

Voice, continued



Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
3/08	7:05P	614-915-4403	Off-Peak	N&W	Bristol VA	Columbus OH	1			
3/08	7:08P	423-481-0486	Off-Peak	N&W	Bristol VA	Roan MT TN	1			
3/08	7:14P	276-393-0438	Off-Peak	N&W	Blountvill TN	Norton VA	2			
3/08	7:26P	276-393-0848	Off-Peak	N&W	Blountvill TN	Norton VA	2			
3/08	7:39P	423-383-3965	Off-Peak	N&W	Bristol VA	Bristol TN	1			
3/08	8:02P	423-383-3965	Off-Peak	N&W	Bristol VA	Bristol TN	5			
3/08	8:10P	423-797-1699	Off-Peak	N&W	Bristol VA	Bristol TN	1			
3/08	8:21P	423-383-3965	Off-Peak	N&W	Bristol VA	Bristol TN	1			
3/08	9:16P	423-571-3624	Off-Peak	N&W	Blountvill TN	Midway Sul TN	1			
3/08	9:16P	423-571-3624	Off-Peak	N&W	Blountvill TN	Incoming CL	1			
3/08	9:29P	423-571-3624	Off-Peak	N&W	Blountvill TN	Midway Sul TN	1			
3/09	8:38A	423-378-8890	Peak	M2MAIlow	Kingsport TN	Kingsport TN	2			
3/09	9:41A	423-823-0552	Peak	M2MAIlow	Gate City VA	Greenevl TN	20			
3/09	12:03P	276-393-0438	Peak	M2MAIlow	Kingsport TN	Norton VA	1			
3/09	12:04P	276-376-1057	Peak	PlanAIlow	Kingsport TN	Wise VA	5			
3/09	12:37P	540-725-3378	Peak	PlanAIlow	Kingsport TN	Roanoke VA	14			
3/09	12:51P	540-725-3378	Peak	PlanAIlow	Kingsport TN	Roanoke VA	2			
3/09	1:11P	423-823-0552	Peak	M2MAIlow	Kingsport TN	Greenevl TN	3			
3/09	1:46P	740-479-0463	Peak	PlanAIlow	Kingsport TN	Kronton OH	2			
3/09	3:45P	423-288-5265	Peak	PlanAIlow	Kingsport TN	Kingsport TN	2			
3/09	4:54P	423-335-3160	Peak	M2MAIlow	Kingsport TN	Midway Sul TN	4			
3/09	5:00P	423-335-3160	Peak	M2MAIlow	Kingsport TN	Midway Sul TN	2			
3/09	5:20P	423-863-2851	Peak	M2MAIlow	Kingsport TN	Kingsport TN	2			
3/09	5:25P	423-288-5265	Peak	PlanAIlow	Kingsport TN	Kingsport TN	1			
3/09	5:30P	804-887-5753	Peak	PlanAIlow	Kingsport TN	Richmond VA	3			
3/09	5:41P	423-797-1699	Peak	M2MAIlow	Kingsport TN	Bristol TN	11			
3/09	5:56P	423-797-1699	Peak	M2MAIlow	Blountvill TN	Incoming CL	4			
3/09	6:09P	423-863-2851	Peak	M2MAIlow	Blountvill TN	Kingsport TN	1			
3/09	6:13P	423-282-5033	Peak	PlanAIlow	Blountvill TN	Fallbranch TN	1			
3/09	10:09P	614-307-4484	Off-Peak	N&W	Blountvill TN	Columbus OH	15			
3/09	10:24P	614-307-4484	Off-Peak	N&W	Blountvill TN	Columbus OH	2			
3/10	8:08A	423-378-8890	Peak	M2MAIlow	Blountvill TN	Kingsport TN	1			
3/10	9:28A	276-832-1737	Peak	PlanAIlow	Kingsport TN	Jonesville VA	2			
3/10	9:58A	276-383-0438	Peak	M2MAIlow	Kingsport TN	Norton VA	2			
3/10	10:27A	423-246-8158	Peak	PlanAIlow	Kingsport TN	Kingsport TN	2			
3/10	10:30A	804-887-5753	Peak	PlanAIlow	Kingsport TN	Richmond VA	6			
3/10	10:36A	423-341-8823	Peak	M2MAIlow	Kingsport TN	Bristol TN	2			
3/10	10:50A	423-262-7050	Peak	M2MAIlow	Kingsport TN	Incoming CL	5			
3/10	11:19A	540-725-3362	Peak	PlanAIlow	Kingsport TN	Roanoke VA	6			
3/10	11:31A	423-341-8823	Peak	M2MAIlow	Kingsport TN	Bristol TN	13			
3/10	11:44A	423-341-8823	Peak	M2MAIlow	Kingsport TN	Bristol TN	20			
3/10	12:04P	276-832-1737	Peak	PlanAIlow	Kingsport TN	Jonesville VA	2			
3/10	12:08P	423-341-1856	Peak	M2MAIlow	Kingsport TN	Bristol TN	1			
3/10	12:25P	423-677-6348	Peak	PlanAIlow	Kingsport TN	Fallbranch TN	1			
3/10	12:26P	423-677-6348	Peak	PlanAIlow	Kingsport TN	Fallbranch TN	5			

0000083-0000462-0000130 at 0000136-C13-BX2383-00003



Detail for Jim Humphreys: 423-677-3592

Voice, continued

Date	Time	Number	Rate	Usage Type	Origination	Destination	Min.	Airtime Charges	Long Dist/ Other Chgs	Total
3/10	12:38P	540-857-5135	Peak	PlanAllow	Kingsport TN	Roanoke VA	4			
3/10	12:51P	877-776-5730	Peak	PlanAllow	Kingsport TN	Toll-Free CL	5			
3/10	1:11P	276-628-5116	Peak	PlanAllow	Kingsport TN	Abingdon VA	3			
3/10	2:27P	276-628-5116	Peak	PlanAllow	Kingsport TN	Abingdon VA	3			
3/10	2:44P	423-246-5222	Peak	PlanAllow	Kingsport TN	Kingsport TN	2			
3/10	2:48P	423-283-4477	Peak	PlanAllow	Kingsport TN	Johnson Cy TN	2			
3/10	2:50P	423-246-1270	Peak	PlanAllow	Kingsport TN	Kingsport TN	29			
3/10	3:34P	740-479-0453	Peak	PlanAllow	Kingsport TN	Ironton OH	2			
3/10	4:14P	740-479-0453	Peak	PlanAllow	Kingsport TN	Incoming CL	5			
3/10	4:18P	276-832-1737	Peak	PlanAllow	Kingsport TN	Jonesville VA	1			
3/10	4:48P	423-534-7880	Peak	M2MAAllow	Kingsport TN	Bristol TN	6			
3/10	4:57P	276-832-1737	Peak	PlanAllow	Kingsport TN	Incoming CL	4			
3/10	5:02P	423-378-8960	Peak	PlanAllow	Kingsport TN	Kingsport TN	2			
3/10	5:03P	423-773-4073	Peak	PlanAllow	Kingsport TN	Johnson Cy TN	2			
3/10	5:05P	423-341-8823	Peak	M2MAAllow	Kingsport TN	Incoming CL	14			
3/10	5:19P	614-915-4403	Peak	PlanAllow	Kingsport TN	Columbus OH	1			
3/10	5:20P	614-915-4403	Peak	PlanAllow	Gray TN	Incoming CL	9			
3/10	7:14P	423-481-0486	Peak	PlanAllow	Gray TN	Rean MT TN	1			
3/10	7:14P	423-276-8296	Peak	M2MAAllow	Gray TN	Kingsport TN	2			
3/10	7:28P	276-393-0438	Peak	M2MAAllow	Kingsport TN	Norton VA	2			
3/10	10:10P	276-870-1792	Off-Peak	N&W	Blountvill TN	Norton VA	1			
3/11	8:32A	423-534-7880	Peak	M2MAAllow	Blountvill TN	Bristol TN	3			
3/11	8:49A	423-378-8860	Peak	PlanAllow	Blountvill TN	Kingsport TN	3			
3/11	8:53A	276-219-9966	Peak	M2MAAllow	Blountvill TN	Norton VA	3			
3/11	9:02A	423-773-4073	Peak	PlanAllow	Kingsport TN	Johnson Cy TN	5			
3/11	9:03A	423-773-4073	Peak	PlanAllow,CallWait	Blountvill TN	Incoming CL	6			
3/11	9:46A	423-283-4477	Peak	PlanAllow	Kingsport TN	Johnson Cy TN	7			
3/11	9:57A	276-393-0438	Peak	M2MAAllow	Kingsport TN	Norton VA	28			
3/11	10:24A	423-378-8837	Peak	PlanAllow	Kingsport TN	Kingsport TN	3			
3/11	10:27A	423-378-8857	Peak	PlanAllow	Kingsport TN	Kingsport TN	1			
3/11	10:28A	423-378-8860	Peak	PlanAllow	Kingsport TN	Kingsport TN	3			
3/11	10:31A	423-677-0404	Peak	M2MAAllow	Kingsport TN	Fallbranch TN	12			
3/11	11:16A	801-468-4000	Peak	PlanAllow	Kingsport TN	Incoming CL	5			
3/11	11:36A	801-468-4000	Peak	PlanAllow	Blountvill TN	Incoming CL	2			
3/11	6:10P	423-534-7880	Peak	M2MAAllow	Jacksonvill FL	Bristol TN	1			
3/11	6:13P	423-378-8890	Peak	M2MAAllow	Jacksonvill FL	Kingsport TN	2			
3/11	11:28P	423-378-8890	Off-Peak	N&W	Ponte Vedr FL	Kingsport TN	2			
3/11	11:28P	423-378-8891	Off-Peak	N&W	Ponte Vedr FL	Kingsport TN	1			
3/11	11:29P	423-378-8891	Off-Peak	N&W	Ponte Vedr FL	Kingsport TN	1			
3/12	8:08A	423-488-9968	Peak	PlanAllow	Ponte Vedr FL	Chattanooga TN	2			
3/12	8:19A	904-285-7777	Peak	PlanAllow	Ponte Vedr FL	Pntvdrabch FL	1			
3/12	11:15A	404-725-0106	Peak	PlanAllow	Ponte Vedr FL	Incoming CL	1			
3/12	12:56P	423-378-8890	Peak	M2MAAllow	Ponte Vedr FL	Kingsport TN	2			
3/12	12:58P	276-495-3009	Peak	PlanAllow	Ponte Vedr FL	Dante VA	5			
3/12	1:03P	423-378-8890	Peak	M2MAAllow	Ponte Vedr FL	Kingsport TN	2			

ENCLOSURE 3-000162 3-000157 3-000156-C3-EX-2303-00003